

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RETTA B.-J.,¹

3:16-cv-00836-AA
ORDER

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,²

Defendant.

AIKEN, District Judge:

Before the Court is plaintiff Retta B.-J.'s Motion for Attorney Fees Under 42 U.S.C. § 406(b) (doc. 24). The Commissioner of Social Security does not object. The Court has reviewed the proceedings and the amount of fees sought pursuant to *Gisbrecht v. Barnhart*, 535 U.S. 789, 807–08 (2002), and GRANTS plaintiff's Motion. Attorney fees in the amount of \$1,653.75 are hereby awarded to plaintiff's counsel pursuant to 42 U.S.C. § 406(b). The attorney fees of \$25.21

¹ In the interest of privacy, this order uses only the first name and the initial of the last name of the non-governmental party in this case.

² Nancy A. Berryhill's term as the Acting Commissioner of the Social Security Administration ended on November 17, 2017, and a new Commissioner has not yet been appointed. The official title of the head of the Social Security Administration is the "Commissioner of Social Security." 42 U.S.C. § 902(a)(1). A "public officer who sues or is sued in an official capacity may be designated by official title rather than name." Fed. R. Civ. P. 17(d). This Court, therefore, refers to defendant only as Commissioner of Social Security.

actually paid pursuant to the Equal Access to Justice Act will be refunded to plaintiff upon counsel's receipt of the allowed § 406(b) fee award.

IT IS SO ORDERED

Dated this 11th day of January 2019.

A handwritten signature in cursive script, appearing to read "Ann Aiken", written over a horizontal line.

Ann Aiken
United States District Judge